

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	NO: WA:20-CR-00061(1)-ADA
	§	
(1) TROY ANTHONY MARION JR.	§	

ORDER ACCEPTING REPORT AND RECOMMENDATION .
OF THE UNITED STATES MAGISTRATE JUDGE

Before the court is the above styled and numbered cause. On March 1, 2024 the United States Probation Office filed a Petition For Warrant or Summons For Offender Under Supervision for Defendant (1) TROY ANTHONY MARION JR., which alleged that Marion violated a condition of his supervised release and recommended that Marion 's supervised release be revoked (Clerk's Document No. 43). A warrant issued and Marion was arrested. On March 15, 2024, Marion appeared before a United States Magistrate Judge, was ordered detained, and a revocation of supervised release hearing was set.

Marion appeared before the magistrate judge on March 28, 2024, waived his right to a preliminary hearing and to be present before the United States District Judge at the time of modification of sentence, and consented to allocution before the magistrate judge. Following the hearing, the magistrate judge signed his report and recommendation on March 28, 2024, which provides that having carefully considered all of the arguments and evidence presented by the Government and Defendant, based on the original offense

and the intervening conduct of Marion, the magistrate judge recommends that this court continue Marion supervised release and that he be remanded to the custody of the U.S. Marshals as a special condition of that supervised release for a period of time served. The Court should reimpose the original conditions of supervised release. The magistrate judge recommends the additional following special conditions: That the defendant will report within 24 Hours of the date of hte Adoption from Judge Albright. (Clerk's Document No. 51).

A party may serve and file specific, written objections to the proposed findings and recommendations of a magistrate judge within fourteen days after being served with a copy of the report and recommendation, and thereby secure a *de novo* review by the district court. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en bane*). The parties in this cause were properly notified of the consequences of a failure to file objections.

On March 28, 2024, following the hearing on the motion to revoke supervised release, all parties signed a Waiver Of Fourteen Day Rule For Filing Objections To Report and Recommendation Of United States Magistrate Judge (Clerk's Document No.

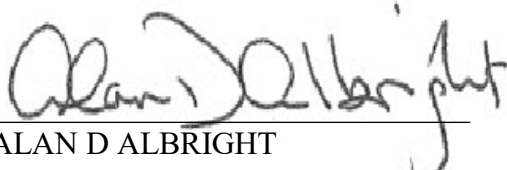
54). The court, having reviewed the entire record and finding no plain error, accepts and adopts the report and recommendation filed in this cause.

IT IS THEREFORE ORDERED that the Report and Recommendation of the United States Magistrate Judge filed in this cause (Clerk's Document No. 51) is hereby **ACCEPTED AND ADOPTED** by this court.

IT IS FURTHER ORDERED that Defendant (1) TROY ANTHONY MARION JR.'s term of supervised release is hereby **CONTINUED** and that he shall be remanded to the custody of the U.S. Marshals as a special condition of that supervised release for a period of time served. In addition, defendant Marion shall comply with the following special conditions: That the defendant will report within 24 Hours of the date of the Adoption from Judge Albright.

IT IS FURTHER ORDERED that all prior conditions of supervised release are reimposed.

Signed this 1st day of April, 2024.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE